

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1, 7, 12, 17, 20, 23 and 25 are amended. Claims 5, 10, 16 and 22 are canceled. Claims 1-4, 6-9, 11-15, 17-21 and 23-25 are pending in this application.

35 U.S.C. § 102

Claims 1, 3, 6-7, 9, 12, 15, 19-20 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 5,436,436 to Matsukawa (hereinafter "Matsukawa"). Applicant respectfully traverses the rejection.

Claims 1, 7, 12 and 20 have been amended to recite – in various forms – a system (or method, computer-readable medium, etc.) that works in conjunction with a portable memory device that includes two language identifiers. The first language identifier identifies a primary preferred language and the second language identifier identifies a secondary preferred language.

If the primary preferred language is unavailable, the system displays the user interface in the secondary preferred language.

Matsukawa does not disclose or anticipate the use of a second language identifier. The Office Action dated May 22, 2003 confirms this.

The fourth paragraph of page 6 states, "Matsukawa as modified by Abe does not teach the language identifier having a primary language identifier and a secondary identifier such that the card terminal displaying the user interface in a preferred language indicated by the secondary language identifier in the event that the preferred language indicated by the primary language identifier is unavailable."

1 For a section 102 rejection to stand, each and every element in a rejected
2 claim must be shown in a prior art reference. Therefore, claims including the
3 second language identifier are allowable over the cited reference.

4 Accordingly, claims 1, 7, 12 and 20 are allowable over Matsukawa and the
5 rejection should be withdrawn.

6 **Claims 3, 6, 9, 15 and 19** each depend from one of claims 1, 7, 12 and 20
7 and are allowable at least by virtue of that dependency. Therefore, the rejection of
8 these claims should be withdrawn.

9 **Claim 22** has been canceled and the rejection thereof is, therefore, moot.

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11 **35 U.S.C. § 103**

12 Claims 2, 4, 5, 8, 10, 11, 13, 14, 16, 17, 18, 21 and 23-25 stand rejected
13 under 35 U.S.C. § 103(a) as being unpatentable over Matsukawa in view of either
14 U.S. Patent Number 4,736,405 to Akiyama (hereinafter "Akiyama") or U.S. Patent
15 Number 5,895,903 to Abe et al. (hereinafter "Abe"). Applicant respectfully
16 traverses the rejections.

17 **Claims 4, 11, 13, 17 and 25**

18 **Claims 4, 11 and 13** depend from claims 1, 7 and 12, respectively and are
19 allowable at least by virtue of that dependency. Claims 1, 7 and 12 are discussed,
20 above, with respect to the § 102 rejection. The addition of Akiyama or Abe to
21 Matsukawa does not overcome the reasons for withdrawing the rejection given
22 above, since neither of these references teaches or suggests the use of a second
23 language identifier and a user interface in the second language.

1 The Office Action claims that provision of a secondary language identifier
2 would have been obvious to an artisan or ordinary skill in the art at the time the
3 invention was made (page 6, paragraph 5). Applicant disagrees.

4 The description in Matsukawa seems to indicate that Matsukawa
5 anticipated a system distributed by a single entity (telephone manufacturer) that
6 controlled distribution of the portable memory devices (phone cards) that
7 contained the language identifier. In such a case, a system manufacturer would
8 know which languages to include in the system, since the manufacturer would
9 know which languages would be used with the portable memory devices.
10 Therefore, one skilled in the art would have no reason to include a secondary
11 language identifier.

12 In the present application, systems (such as ATMs) manufactured by a first
13 entity may be used with portable memory devices (such as ATM cards) issued by
14 numerous other entities. In this case, the system manufacturer cannot anticipate
15 all the languages that would need to be stored in a particular system. As such, it is
16 more likely that a secondary language identifier would be required.

17 Abe merely discloses that a user have the capacity to select a preferred
18 language. Abe does not discuss what happens in an event that no suitable
19 language is identified. If a preferred language is unavailable, Abe simply reverts
20 to a default language. Provision of a secondary language identifier would
21 significantly enhance the disclosure of Abe, yet there is no mention of such an
22 element. As such, there is no evidence that such a feature would be obvious at the
23 time Abe was filed.

24 Akiyama describes a communication system that is configured to provide
25 verbal instructions regarding certain system features to users/listeners. For

1 example, if a telephone user want to use call forwarding but does not know how to
2 do so, the user can access verbal instructions for the use of call forwarding instead
3 of consulting a written manual. In at least one implementation, a user possesses a
4 card that is inserted into a terminal of a telephone system. The card identifies the
5 user and a language that is preferred by the user. However, Akiyama does not
6 teach or suggest the use of a secondary language identifier to access a user
7 interface in a second language in the event that the user's card identifies a
8 language that is unavailable on the system. Therefore, there is no evidence that
9 such a feature would be obvious.

10 Accordingly, these claims are allowable over the cited references and the
11 rejection should be withdrawn.

12 **Claims 17 and 25** recite an ATM card and an ATM machine, respectively,
13 that utilize first and second language identifiers to display a user interface in either
14 a first language or a second language. As previously discussed, none of the cited
15 references (Matsukawa, Akiyama or Abe) teach or suggest using a second
16 language identifier and a second language in the way described by these claims.

17 Accordingly, claims 17 and 25 are allowable over the cited references and
18 the rejection should be withdrawn.

19 **Claims 2, 8, 14, 18 and 21**

20 **Claims 2, 8, 14, 18 and 21** depend from claims 1, 7, 12, 17 and 20,
21 respectively, and are allowable at least by virtue of that dependency. Therefore,
22 the rejection of these claims should be withdrawn.

23 **Claims 5, 10, 16, 23 and 24**

24 **Claims 5, 10, 16 and 24** have been canceled, thus rendering the rejection
25 thereof moot.

1 Claim 23 depends from claim 20 and is allowable at least by virtue of that
2 dependency. Accordingly, the rejection should be withdrawn.
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Conclusion

All pending claims 1-4, 6-9, 11-15, 17-23 and 25 are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: 9/22/03By: James R. Banowsky
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